

LABOUR AND EMPLOYMENT DEPARTMENT

The 24th/27th January, 1967

No. 605-3-Lab-67/2327.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the Management of M/s Ametee Machine Tools Private Limited, Faridabad.

BEFORE SHRI HANS RAJ GUPTA, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 71 of 1966

between

THE WORKMEN AND THE MANAGEMENT OF M/S AMETEE MACHINE TOOLS PRIVATE
LIMITED, FARIDABAD

Present :—

Nemo on behalf of the workmen.

Shri S. L. Magu, Personnel Officer of the respondent concern.

AWARD

An industrial dispute having arisen between the workmen and the management of M/s Ametee Machine Tools Private Limited, Faridabad, the Government of Haryana by means of their gazette notification No. 120-SF-III-Lab-66/3393, dated 22nd December, 1966 and in exercise of the powers vested in them under section 10(1)(c) read with the proviso to that sub-section of the Industrial Disputes Act, 1947, have referred to this Court for adjudication the matters mentioned below :—

- 1 Whether the strike resorted to by the workmen with effect from 25th November, 1966 (afternoon) is justified and in order? If so, to what relief they are entitled?
- 2 Whether the suspension of Sarvshri Mulak Singh, Sham Lal and Brij Mohan is justified and in order? If not, to what relief they are entitled?

Usual notices were issued to the parties for 16th January, 1967. Shri S. L. Magu was present on behalf of the management but no one was present on behalf of the workmen although the notice sent to them had been served on the general secretary of the union and the postal acknowledgement is on record. Proceedings under rule 22 of the Industrial Disputes (Punjab) Rules, 1958 were taken against the workmen as if they had appeared.

Shri S. L. Magu on behalf of the management made a statement on oath that the parties to the dispute had arrived at a settlement on 5th January, 1967. He filed a copy of that settlement which will be reproduced as an annexure to this award. He also filed a joint application by both the parties requesting this Court to give an award in terms of the settlement arrived at between the parties. This settlement has been signed by the Conciliation Officer, Faridabad as a witness. It has also been signed by Shri S. L. Magu, who is present on behalf of the management before this Court.

I make this award in terms of the settlement arrived at between the parties, a copy of which settlement has been annexed to this award. The parties are left to bear their own costs of these proceedings.

This award is submitted to the Government of Haryana, Department of Labour as required under Section 15 of the Industrial Disputes Act, 1947.

The 19th January, 1967.

HANS RAJ GUPTA,

Presiding Officer,

Labour Court, Rohtak.

ANNEXURE

Memorandum of Settlement under Section 12(3) of the Industrial disputes Act, 1947

Name of the Parties:

M/s Ametee Machine Tools Private Ltd, 14.7, Mathura Road,
Faridabad and its workmen.

Representing Employer :

Shri Chaman Lal

Shri Harbans Lal

} Directors

Representing Workmen :

- 1 Mr. Mulak Singh, President
- 2 Mr. Sham Lal Malhotra, General Secretary
(Ameteeep Workers Union)
- 3 Shri Harbans Lal
- 4 Shri Sant Ram
- 5 Shri Nirmal Singh
- 6 Shri Swaran Singh

} affected workmen

Short recital of the case:

Whereas the workmen resorted to strike with effect from 25th November, 1966, afternoon to press their demands regarding implementation of the recommendations of the Central Wage Board for Engineering Industries for grant of interim relief and withdrawal of suspension orders against certain workmen and whereas at the intervention of the Deputy Labour Commissioner, Haryana and the Conciliation Officer, Faridabad, a settlement has been reached between the parties, workmen have agreed to call off the strike from 6th January, 1967, on the following terms :—

Terms of settlement :

1. The period of strike from 25th November, 1966, afternoon to 5th January, 1967 would be treated as under :—
 - (a) The workers would give 22 days extra production within next 11 months by working two extra days every month. The workers will assure maximum presence on such days.
 - (b) The management would pay 14 days wages to the workers as *ex gratia*.
 - (c) 5 days leave due to the workers under Factories Act, 1948, would be adjusted against the strike period.
2. The management agrees to continue to pay to the workers monthly Rs 5 as an advance payment to be finally adjusted towards the recommendations of the Implementation Committee set up by the Government for enforcing recommendations of the Central Wage Board for Engineering Industries for grant of interim relief from September, 1966. The arrears in this respect would be paid by 7th March, 1967.
3. The wages for the month of November, 1966 would be paid by 13th January, 1967, and that for the month of December, 1966 by 21st January, 1967, after making adjustments referred to above in clause 1.
4. The services of the workers would be treated as un-interrupted due to the aforesaid strike. The management also assures not to victimise any workmen for having participated in the strike. The workers on their behalf also assure to give maximum production and maintain discipline in the factory.
5. The orders of suspension against Shri Mulak Singh, Shri Sham Lal and Shri Brij Mohan would be treated as withdrawn. The casual workers will also be allowed to resume their duties along with other workers but they would continue to be treated as such.
6. The matter in dispute between the parties referred to Labour Court, Rohtak for adjudication,—*vide* Punjab Government Notification No. 120 SFIII-Lab-66/3393, dated the 22nd December, 1966, would be deemed to have been settled in view of this settlement. The management is authorised to present the joint application along with a copy of the settlement on behalf of the parties to the Labour Court, Rohtak, as to request to give its Award in terms of the same.

Signatures of the representatives of the management—

- (1) (Sd.) Chaman Lal, Director
- (2) (Sd.) Harbans Lal, Director

Signatures of the representatives of the workmen
(Ameteeep Workers Union)

1. (Sd.) Mulak Singh, President.
2. (Sd.) Sham Lal Malhotra, General Secretary.
3. (Sd.) Harbans Lal.
4. (Sd.) Sant Ram.
5. (Sd.) Nirmal Singh.
6. (Sd.) Swaran Singh.

Witnesses

- (1) (Sd.) S. L. Mago, Personnel Officer, c/o Ameteeep Machine Tools Private Ltd., Faridabad.
- (2) Sd/- Ram Krishan, c/o Ameteeep Machine Tools Private Ltd., Faridabad.

Signed in my presence.

(Sd.) M. K. JAIN,
Conciliation Officer,
Faridabad.

The 5th January, 1967.

Certified to be a true copy.

HANS RAJ GUPTA,
Presiding Officer,
Labour Court, Rohtak